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# OFFICE OF THE FEDERAL DEFENDER EASTERN DISTRICT OF CALIFORNIA 801 I STREET, 3rd Floor SACRAMENTO, CALIFORNIA 95814 (916) 498-5700 Fax: (916) 498-5710

Dennis S. Waks Acting Federal Defender Danlel J. Broderick Chief Assistant Defender

January 18, 2006

John P. Balazs Attorney at Law 916 Second St., 2<sup>nd</sup> Floor Sacramento, Ca. 95814

Re: United States v. Davis L. Smith

Cr.S-00-229-MCE

**FILED** 

JAN 1 9 2006

CLERK, U.S. DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA

DEPUTY CLERK

Dear Mr. Balazs:

This will confirm your appointment by the Honorable Morrison C. England Jr., U.S. District Judge, to represent the above-name defendant. You are attorney of record until such time as you are relieved or other action is taken to appoint a different attorney.

Enclosed is a CJA 20 form, your Order of Appointment and Voucher for services rendered. Also enclosed is an instruction sheet discussing the use of the forms, together with sample forms for reporting court time. This will also provide a uniformity in the way attorneys report their time and services rendered.

If we may be of any further assistance regarding the processing of the enclosed form, preparation of form CJA 21 for expert services, or in reference to any other matter pertaining to this case, please feel free to call upon us at any time.

Very truly yours,

LUPE HERNANDEZ Operations Administrator

Qup D

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**Enclosures** 

cc Clerks Office

1. CIR DIST DIV. CODE CASMITH OF SVID PRESENTED - MCE Document 340 File 0 01/19/06 Page 2 of 5												
3. MAG. DKT./DEF. NUMBER			4. DIST. DKT.// 2:00-0002		5. APPEALS DKT/DEF. NUMBER			6.01	6. OTHER DKT. NUMBER			
7. IN CASE/MATTER OF (Case Name)			8. PAYMENT CATEGORY		9. TYI	9. TYPE PERSON REPR		SENTED	) 10, REPRESENTATION TY (See Instructions)			
τ	J.S. v. Bates		Felony	Ad	Adult Defendant				Other			
11. OFFENSE(S) CHARGED (Cite U.S. Code, Title & Section) If more than one offense, list (up to five) major offenses charged, according to severity of offense.  1) 18 1956-4700.F MONEY LAUNDERING - POSTAL, INTERSTATE WIRE, RADIO, ETC.												
12. ATTORNEY'S NAME (First Name, M.I., Last Name, including any suffix) AND MAILING ADDRESS Balazs, John P. 916 Second Street, 2nd Floor Sacramento CA 95814					IX O □ F □ P Prior A Aj □ Bec	F Subs For Federal Defender R Subs For Retained Attorney F Subs For Panel Attorney Y Standby Counsel  Prior Attorney's Name: Appointment Data: Because the above-named person represented has testified under oath or has						
,	Telephone Number:(916	5) 505-1687			(2) does	otherwise satisfied this court that he or she (1) is financially unable to employ counsel and (2) does not wish to waive counsel, and because the interests of justice so require, the						
14. NAME AND MAILING ADDRESS OF LAW FIRM(only provide per instructions)						attorney whose name appears in Item 12 is appointed to represent this person in this case, of Other (See Instructions)  / S/ MORRISON C. ENGLAND  Signature of Presiding Judicial Officer or By Order of the Court  11/28/2005  Date of Order  Repayment or partial repayment ordered from the person represented for this service at time of appointment.   YES  NO						
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l n	d. Triai	d. Triai										
С	e. Sentencing Hearing	e. Sentencing Hearings f. Revocation Hearings g. Appeals Court h. Other (Specify on additional sheets)					. !			V. 1		
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5	g. Appeals Court					٠.						
'	h. Other (Specify on						j.					
	(Rate per hour = \$ OO ) TOTALS:					X. J., L.,						
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'	c. Legal research an	c. Legal research and brief writing					·					
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17		(Rate per hour = \$ 9() ) TOTALS:						(A. 11. 1 A. 14. 14. 14. 14. 14. 14. 14. 14. 14. 14	<u> </u>			
17.	Other Expenses	Travel Expenses (lodging, parking, meals, mileage, etc.)  Other Expenses (other than expert, transcripts, etc.)										
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19. CERTIFICATION OF ATTORNEY/PAYEE FOR THE PERIOD OF SERVICE 10. APPLIFORM 10. TO 10. APPLIFORM 10.							PPOINTMEN FOTHER TH	T TERMINATION AN CASE COMPLE	DATE ETION	21. CA	SE DISPOSITION	
22. CLAIM STATUS												
	Signature of Attorney:						Date:					
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23.	IN COURT COMP.	COURT COMP. 24. OUT OF COURT COMP. 25. TRAVEL				KPENSES 26. OTHER EXPENSES			27. TOTAL AMT. APPR / CERT			
28.	SIGNATURE OF THE PRESIDING JUDICIAL OFFICER					DATE				28a. JUDGE / MAG. JUDGE CODE		
29.	N COURT COMP. 30. OUT OF COURT COMP. 31. TRAVEL				VEL EXPENSI	<u></u>			33. TOTAL AMT, APPROVED			
34,	34. SIGNATURE OF CHIEF JUDGE, COURT OF APPEALS (OR DELEGATE) Page approved in excess of the statutory threshold amount.						DATE			34a. JUDGE CODE		

## CJA 20 APPOINTMENT OF AND AUTHORITY TO PAY COURT APPOINTED COUNSEL

1. CIR/DIST/DIV. CODE CAE	rresin 2000 avid Larry	9-MCE	Docu	ument	340 File	d <b>Olytha</b> io	<b>умере</b> д	e 3 o	f 5			
3. MAG. DKT/DBF, NUMBE	4. DIST. DKT./DBP. NUMBER 2:00-000229-002			5. APPEALS DKT./DEF. NUMBER			6. OTHER DKT. NUMBER					
7. IN CASE/MATTER OF (C	8. PAYMENT CATEGORY			9. TYPE PERSON REPRESENTED			10. REPRESENTATION TYPE (See Instructions)					
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						Signature of Fresiding Judicial Officer of By Order of the Court  11/28/2005  Date of Order  Nunc Pro Tupe Date						
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18. Other Expenses	(other than expert,									· <u>-</u>		
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19. CERTIFICATION OF ATTORNEY/PAYEE FOR THE PERIOD OF SERVICE FROM TO						E 20. APPOINTMENT TERMINATION DATE IF OTHER THAN CASE COMPLETION 21. CASE DISPOSITION						
22. CLAIM STATUS   Final Payment   Interim Payment Number   Supplemental Payment   Have you previously applied to the court for compensation and/or remimbursement for this case?   YES   NO If yet, were you paid?   YES   NO Other than from the court, have you, or to your knowledge has anyone side, received payment (compensation or anything or value) from any other source in connection with this representation?   YES   NO If yet, give details on additional sheets.  I swear or affirm the truth or correctness of the above statements.												
Signature of Attorney:						Date:						
23. IN COURT COMP.	24. OUT OF COL		25. TRAV	Anna chidh Art t	<u>.</u>		ER EXPENSES	27.	TOTAL	AMT. APPR / CERT		
28. SIGNATURE OF THE P	s. SIGNATURE OF THE PRESIDING JUDICIAL OFFICER					DATE			28a. JUDGE/MAG. JUDGE CODE			
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34. SIGNATURE OF CHIEF JUDGE, COURT OF APPEALS (OR DELEGATE) Parapproved in excess of the statutory threshold amount.						DATE	DATE 34a. JUDGE 6			E CODE		

## UNITED STATES COURT OF APPEALS



#### FOR THE NINTH CIRCUIT

NOV 2 8 2005

ASTERN DISTRICT OF CALIFORNI

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DAVID L. SMITH, .,

Defendant - Appellant.

No. 03-10548

D.C. No. CR-00-00229-MCE

JUDGMENT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

HERBERT A. BATES,

Defendant - Appellant.

No. 03-10604 D.C. No. CR-00-00229-MGE

JUDGMENT

Appeal from the United States District Court for the Eastern District of California (Sacramento).

This cause came on to be heard on the Transcript of the Record from the United States District Court for the Eastern District of California (Sacramento) and was duly submitted.

On consideration whereof, it is now here ordered and adjudged by this

Court, that the judgment of the said District Court in this cause be, and hereby is

AFFIRMED as to the conviction and the cases are REMANDED

pursuant to Ameline.

Filed and entered 09/13/05

A TRUE COPY CATHY A. CATTERSON Clerk of Court ATTEST

NOV 22 2005

Deputy Clerk